Serial No.: 10/711,585

Remarks/Arguments

Claims 1-3, 5, 8-15, and 26-41 were and will continue to be pending in this application upon entry of this response. Claims 4, 6, 7, 16-25, and 42-49 stand withdrawn from prosecution at this time. Claims 1, 3, 8, 11, 26, 28, 30, 32 and 35-37 have been amended herein. Applicant notes the withdrawal of the Examiner's previous objections to the specification and claims on clarity grounds, the Examiner's acceptance of the corrected drawings submitted with the previous response, and the withdrawal of the previous rejection under 35 U.S.C. § 112, second paragraph. Applicant thanks the Examiner for his kind consideration of these matters and his willingness to advance this application through prosecution.

The Examiner has rejected all of Applicant's claims as lacking novelty under 35 U.S.C. § 102(b) in view of published international patent application WO 93/06910 to Burton. For a proper rejection under Section 102, the Examiner must demonstrate that the identical invention is "shown in as complete detail as contained in the....claim," and that the elements are "arranged as required by the claim...." M.P.E.P. § 2131. Applicant's claims, as amended, either directly or through dependency, recite the determination of measured airflow using a linearity characteristic of an integrated airflow sensor. Support for this recitation can be found in original claims 32 and 37, in Fig. 9, and in the specification in at least paragraphs [0070]-[0078]. There is no discussion or suggestion in either Burton or incorporated U.S. Patent 5,006,227 of programmatically taking into account the linearity or lack thereof of an integrated airflow sensor in order to produce accurate airflow measurement, or accurate feedback control, as further claimed in Applicant's dependent claim 3. Applicant submits that the present claims, as amended, are patentably distinguishable from Burton for at least this reason.

Applicant believes he has responded to the Examiner's concerns, and that the application is in condition for allowance. Reconsideration of this application as amended is hereby requested.

Date: 8-24-07

Telephone: (919) 286-8000 Facsimile: (919) 286-8199

Respectfully submitted,

Steven B. Phillips, Attorney for Applicant

Registration No. 37,911 Moore & Van Allen PLLC

P.O. Box 13706

Research Triangle Park, NC 27709